ROUTINE ACCESS POLICY

For the Nova Scotia Workers' Compensation Appeals Tribunal

October 2003 (Revised April 2005)

1. POLICY STATEMENT

This "Routine Access" policy for the Nova Scotia Workers' Compensation Appeals Tribunal ["Tribunal"] is designed to provide persons with an opportunity to obtain certain categories of records without having to submit a *Freedom of Information and Protection of Privacy Act* Application. It shall be administered in accordance with the following principles:

a) Personal Privacy

The policy shall be applied in a manner which will be considerate and protective of the personal privacy of individuals and records subject to this policy shall be considered for release and severing in a manner consistent with the provisions of the *FOIPOP Act.* Records containing the personal information of third parties as defined in the *FOIPOP Act* will not be disclosed by the Tribunal outside the *FOIPOP Act*, unless the personal information has been severed.

b) Timeliness

The Tribunal will respond to any "Routine Access" requests in a reasonable and timely fashion.

c) Cost Recovery

Fees for the reproduction and provision of records may be charged where authorized by policies, regulations, or statutes.

d) Transparency

This policy shall be made readily available to the public through the Tribunal's website.

e) Reasonableness

This policy shall apply only to requests for reasonable quantities of records.

2. DEFINITIONS

Routine Access is the routine or automatic release, in full or in part, of certain types of administrative or operational records, as a matter of course, in response to a request, without the need for a formal application for records under the *FOIPOP Act.*

Active Dissemination is the periodic and proactive release of information or records in

the absence of a request, using mechanisms such as the Internet, libraries, etc. . Refer to Appendix A for types of information available on the Internet.

FOIPOP Access is the release of a record in response to a formal FOIPOP application made under the *Freedom of Information and Protection of Privacy Act.*

A Record "includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records". [clause 3(1) (k) *FOIPOP Act*]

3. POLICY OBJECTIVES

The objectives of the implementation of this policy are:

i) the routine accessibility of certain records without additional administrative time being required of staff to fulfill "Routine Access" requests;
ii) to provide a greater certainty of access for those requesting information; and
iii) to reflect the spirit of openness and accountability of the FOIPOP legislation.

4. APPLICATION

This policy applies to all Tribunal members, officers and employees, and to all records designated under this policy in accordance with the attached Appendix B.

Routine Access requests only apply to information created after October 23, 2003.

This policy shall apply to requests for reasonable quantities of records and shall not apply to a request for more than 50 pages of records in a particular category and/or time period.

Repetitive requests by an individual for significant volumes of records or the separation of a request into several small requests totalling a large volume, shall not be subject to the policy.

It is important to ensure that the application of the Routine Access policy not unduly interfere with the day-to-day operations of the Tribunal.

Requests made under Routine Access do not apply to information subject to exemptions under the *FOIPOP Act.*

Personal information may be severed with the same criteria and in the same manner as requests made under the *FOIPOP Act.*

5. POLICY DIRECTIVES

i) Once the policy is drafted, all Tribunal members, officers and employees will be sent a memorandum advising of the existence of the policy.

ii) The policy will be posted on the Tribunal's website and a print version will be provided to the Chief Appeal Commissioner, the Registrar/FOIPOP Administrator, and the Office Supervisor, who are the staff who normally would receive requests from the public and the media for records subject to the Routine Access Policy.

iii) The requests may be handled by the persons designated as having the responsibility of responding to Routine Access requests.

iv) A tracking system will be designed to keep track of the records provided through Routine Access.

6. POLICY GUIDELINES

i) Once a request for "Routine Access" to a particular record, or set of records, has been received by a designated person, it shall be reviewed to determine if the records are listed in Appendix B.

ii) If the policy applies to the request, the records shall be provided to the applicant within a reasonable period of time, but no later than 30 days from receipt of the request.

iii) If the policy does not apply to the request, a prompt response shall be provided to the requester indicating what other avenues may be available to obtain the information (ie. already provided through Active Dissemination, filing a FOIPOP request, or referred to another department or agency).

iv) Individuals who apply under the *FOIPOP Act* for records available under the Routine Access Policy will have their application fee returned and the records provided.

7. ACCOUNTABILITY

The Chief Appeal Commissioner of the Tribunal shall be accountable for the implementation of this policy.

8. COMPLIANCE

The Registrar/FOIPOP Administrator of the Tribunal shall be responsible for ensuring the tracking and compliance of this policy, which shall be subject to audit by the NS government.

9. EVALUATION

The "Routine Access" Program established under this policy shall be evaluated on an annual basis by the Registrar/FOIPOP Administrator. Statistics on the number and types of records being requested will be kept.

10. REFERENCES

Requests made under the Routine Access Policy will be subject to section 27 of the *FOIPOP Act* which sets the parameters for dealing with personal information.

11. INQUIRIES

Any inquiries with respect to this policy and its application and implementation should be referred to the Registrar/FOIPOP Administrator or Chief Appeals Commissioner of the Tribunal at 424-2250.

12. APPENDICES

Appendix A: Examples of information provided through Active Dissemination.

Appendix B: Schedule of records available through Routine Access.

Appendix A

1. Tribunal overview (i.e. information about the Tribunal and the services it provides)

2. Tribunal Documents (i,e, Notice of Appeal form, Employer Notice of Intention to Participate form)

3. Tribunal Contacts - list of phone, fax, email, mailing and geographical addresses for the Tribunal office.

4. Publications - All publications and reports available to the public, from 1998 to present (i.e. Annual Report, brochures, Practice Manual).

5. Related Links -Links to:
   - the Nova Scotia Workers' Compensation Board
   - the Nova Scotia Department of Justice
   - by subscription, to the Workers' Compensation Appeals Tribunal and Workers' Compensation Board Internal Appeals database available through the Department of Environment and Labour
   - the Nova Scotia Workers' Compensation Act

Appendix B

1. General Requests
   - the Tribunal will provide readily available statistics upon verification that the information does not have personal information.
   - general Tribunal policy statements
   - general information on services offered by the Tribunal
   - OHS Routine Inspection Reports that, in the judgement of the Tribunal, do not contain security related information.

2. Human Resources Information:

   General:
   - organizational charts with position titles
   - generic information of benefits and hours of work
   - job descriptions, pay scale, classification of positions (unionized, non-unionized)
   - secondment agreements, both within and outside government, excluding personal information
   - personal service contracts of individuals not appointed pursuant to the Civil Service Act, excluding personal information and service or product trade secrets
   - adjudication decisions of grievances filed by union employees

   Selection and Hiring process:
   - number of applicants for position
   - number of persons interviewed
   - name of successful candidate, once offer of employment has been accepted

3. Finance and Administration

   Expense/Travel claims:
   - individual expense claims for a three month period within the current fiscal year, to a maximum of three individuals at any one time.
   - Tribunal monthly expense summary
   - contracts for goods and services

   Note: the Tribunal will provide expense claims, but will do so only after severing telephone numbers, address, social insurance number and employee number.

   Other expenses:
   - cost of renovations for specific offices carried out within the previous six months

- cost of special or specific events (ie, conferences, luncheons, workshops, training, etc. within three months of event having taken place)
- cost of sending a delegation out of the province or out of the country
- overtime expenditures (current year-to-date)
- detailed expenditure reports, by category, (eg. salaries, travel, etc.) for a maximum of three per fiscal year
- contracts for renovations of Tribunal facilities